

Notice of Allowability

Application No.

09/520,964

Examiner

Shervin Nakhjavan

Applicant(s)

COVELL ET AL.

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE received 6/1/04 and an amendment received 11/29/04.
2. ☒ The allowed claim(s) is/are 54-74.
3. ☒ The drawings filed on 08 March 2000 and 28 November 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Request for continued Examination

1. The RCE filed on 6-1-04 has been entered.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the specification under Brief Description of drawings page 6, Line 9, change "6A" to read --6--;

In the specification, page 32, Line 21, change "6A" to read --6--.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance: claims 54-73 are allowed because, the prior art of record specifically Sabata et al. (892 dated 7-17-03) in view of Metaxas et al. (US 6,492,986) fail to specifically teach *shifting* a focus of expansion of a point *on the figure or object independently by an integer value* of claims 54, 61 and 71 combined with other features and elements of the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Other prior art cited

4. Prior art of record cited and not relied upon is considered pertinent to applicant's disclosure.

The US Patent 5,307,170; US Patent 5,128,874; US Patent 5,036,474 and Sharma et al. ("Dynamic control of motion detection by an active, mobile observer" Intelligent Control, 1991. Proceedings of IEEE International Symposium on 13-15 aug. 1991 Pages 43-48.) variously teach focus of expansion (FOE) utilization related to applicant's invention as claimed.

Contact information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shervin Nakhjavan whose telephone number is (571) 272-7395. The examiner can normally be reached on Monday through Friday from 8:00 am to 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta, can be reached at (571)272-7453.

Any response to this action should be mailed to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:
(703) 872-9306 for *formal* communications,

Hand delivered responses: (Federal Express (Fed Ex), UPS, DHL, Laser, Action, Purolator, etc.)

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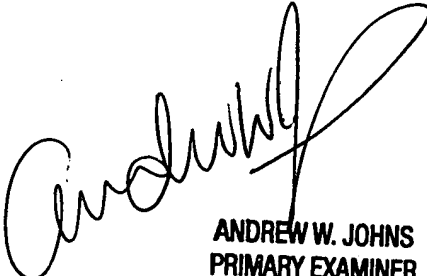
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Any inquiry of a general nature or relating to the status of this application should be directed to the Tech center 2600 customer service office **(571) 272-2600**.

Shervin Nakhjavan *S.N*
Patent Examiner
Group Art Unit 2621
April 25, 2005.



ANDREW W. JOHNS
PRIMARY EXAMINER